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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/892,525	06/28/2001	John D. Barnard	2908.P3	4923

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NEW YORK, NY 10112

EXAMINER

JAROENCHONWANIT, BUNJOB

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 05/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/892,525

Applicant(s)

BARNARD ET AL.

Examiner

Bunjoo Jaroenchonwanit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11, 14-39, 42-67, 70-95 and 98-112 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11, 14-39, 42-67, 70-95 and 98-112 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This office action is in response to the amendment filed 03/01/05, the amendment has been considered. Claims 12, 13, 40, 41, 68, 69, 96 and 97 were cancelled. Claims 1-11, 14-39, 42-67, 70-95 and 98-112 are pending for examination and amended to include a feature of accessing user-configurable parameters and publishing print queue in accordance with the user-configurable parameters. The rejection cited as stated below.
2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the features of accessing user-configurable parameters for the print queue, which is later used for publishing the print queue to the network, as claimed must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement-drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the process of dynamically assigning address to the slave processors, as claimed in all, and the

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process of including transfer count to reduce overhead of the transfer, as claimed, in claims 8 and 16, which perhaps considered as a crucial feature of the claim invention must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 1-11, 14-39, 42-67, 70-95 and 98-112 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. He amended claims recite “user-configurable parameters,” which is new and not taught in the application as originally filed. Thus, the “user-configurable parameters” and its functionality, therefore, are new matter. Since the phrases have not been taught or never once mentioned in the original disclosure, the term therefore interpret the same as a configuration data related to print queue, as originally filed.

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 1-11, 14-39, 42-67, 70-95 and 98-112 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

7. Claims 1-11, 14-28 are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission

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amounting to a gap between the necessary structural connections. See MPEP § 2172.01. The omitted structural cooperative relationships are: devices or element that performing the method steps as claimed, such omission amounting numerous of questions, which would be unclear whether how the claims' method steps are being carried on and by whom, in order to manage printing devices.

8. The text of those sections of Title 35, U.S. Code § 103(a) not included in this action can be found in a prior Office Action.

9. Claims 1-8, 10-11, 14-15, 19-23, 28-36, 38-39, 42-43, 47-51 56-64, 66-67, 70-71, 75-79, 84-92, 94-95, 98-99, 103-107 and 112 are rejected under 35 U.S.C. 102(b) as being anticipated by White et al (EP 952513).

10. Regarding claims 1, 28-29, 56-57, 84-85 and 112, White discloses a method, system and computer programs record in computer readable mediums (a "system" hereinafter), for managing a plurality of printing devices connected on a network, said method comprising the steps of: detecting a printing device connected on the network; requesting information from the detected printing device; receiving the requested information from the printing device; and creating a print queue for the printing device based on the received information (abstract, Fig. 1).

11. Regarding claims 2-8, 10-11, 14-15, 19-23, 30-36, 38-39, 42-43, 47-51, 58-64, 66-67, 70-71, 75-79, 86-92, 94-95, 98-99 and 103-107, White discloses the system further includes, the detecting is detected by detecting an address assignment message sent between an address server and the printing device over the network (White's system also employs DHCP standard, White teaches printer driver, i.e., type and capability of printer included, is transmitted to printing system, paragraphs 13, 18).

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12. Claims 9, 37, 65 and 93 are rejected under 35 U.S.C. 103(a) as being unpatentable over White et al, as applied to claim 1 above and Clough (US. 6,820,124).

13. Regarding claims 9, 37, 65 and 93, White discloses the invention substantially, as claimed, as described in claim1, but it is silent to using SNMP for communicating message. However, the SNMP are standard for communicating message with a network, specifically it has been utilized in particular for communicating message between printer and its host, the aforesaid is evidently taught in Clough. Thus, including the standard, which had readily been used in the same field of endeavor, for similar purpose, would have been obvious to one of ordinary skilled in the art. Because, adopting the idea of using SNMP communication, as suggested in Clough, would be a matter of simplistic in increasing communication channels, to enhance application flexibility, in which ordinary artisan would look for, before reinvent a new way of communication.

14. Claims 12-13, 16-18, 24-27, 40-41, 44-46, 52-55, 68-69, 72-74, 80-83, 96-97, 100-102 and 108-111 are rejected under 35 U.S.C. 103(a) as being unpatentable over White et al, as applied to claim 1 above and Lee (US. 6,628,413).

15. Regarding claims 16-18, 24-27, 44-46, 72-74 and 100-102, White discloses the invention substantially, as claimed, as described in claim 1, but it is silent to, creating a print queue web page containing a plurality of links representing each of the print queue entries in the print queue configuration database. However, the same concept is widely utilized in an analogous art, for example Lee teaches JAVA printer, which publishes printer queue on a web page to enable clients to control printer (Lee, Fig. 3). Thus associated printer queue with web page is nothing

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new, but rather would have been obvious to one of ordinary skill in the art at the time of the invention was made to do so, for the same given rational in the rejection of claims 12-13, above.

16. Applicant's arguments filed 3/1/05 have been fully considered but they are not persuasive. Applicant argued the prior art does not teach the feature, which is proved to be a new matter, is improper. The claimed "user-configurable parameters" that just introduced to the claim after filling the application is considered a new matter. Therefore, the argument is not commensurate with the specification as filed, originally. Furthermore applicant tried to differentiate "configuration data" taught in the applied reference (Lee), by referring to amended claims 15-16, which exclude printer driver from the configuration data. However, in light of applicant's specification (see spec. pp 36), it include printer driver as one of configuration data related to print queue.

17. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

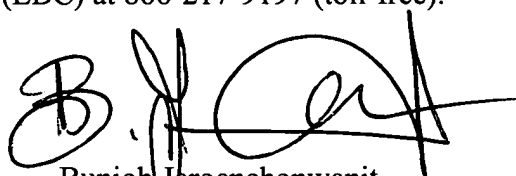
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bunjob Jaroenchonwanit whose telephone number is (571) 272-3913. The examiner can normally be reached on 8:00-17:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Bunjob Jaroenchonwanit
Primary Examiner
Art Unit 2143

/bj
5/6/05